

REMARKS

Claims 1-23 were presented for examination. The Office Action objects to claim 10 and rejects claims 1-23. This response cancels claim 12 and amends claims 1, 9, 10, 13, 14, and 16. Applicants submit that the amendments overcome the objection and rejections and respectfully request that they be withdrawn. Claims 1-11 and 13-23 remain pending in the application.

Applicants hereby petition for a three-month extension of time to extend the period for response up to and including March 9, 2003. A check in the amount of \$475.00 is included herewith. If any additional fees are due, please charge Deposit Account No. 502295.

Objection of claim 10

The Office Action objects to claim 10 due to a typographical error. Applicants hereby amend claim 10 to correct this error. Additionally, Applicants amend claim 14 to correct the same typographical error.

Rejection of claims 1-6, 9-14, and 16-22 under U.S.C. § 102(b)

The Office Action rejects claims 1-6, 9-14, and 16-22 under 35 U.S.C. 102(b) as being anticipated by Driskell (U.S. Patent No. 5,596,699). Applicants respectfully traverse the rejection to the extent it is maintained, because the cited references do not disclose or suggest all limitations as claimed in the applicants' invention.

Representative claim 1, as amended, recites in pertinent part "displaying a second plurality of menu options at substantially the identified location to replace the first plurality of menu options upon activating one of the remaining menu options." The displaying of the second plurality of menu options operates to remove the first plurality of menu options from the view of the user, because the second plurality of menu options are located about the identified location used to display the first plurality. As a result, only the second plurality of menu options remains viewable by the user.

Driskell fails to disclose or suggest the Applicants' claimed "displaying a second plurality of menu options at substantially the identified location to replace the first plurality of menu options upon activating one of the remaining menu options." In contrast, Driskell

shows cascading option menu graphics shells and displaying option menu graphics shells adjacent to each other (see FIGs. 6 and 7, col. 8, lines 22-34). In Driskell, at least a portion of each option menu graphic shell remains visible to the user after selecting a menu option within the shell. As such, Driskell fails to disclose or suggest all the elements of applicants' independent claims 1. Amended independent claims 9 and 16 recite elements and limitations similar to claim 1, and are also patentable in view of Driskell for at least those reasons provided for claim 1. Also, claims 2-8, 10, 11, 13-15, and 17-23, which depend directly or indirectly from the independent claims 1, 9, and 16, are patentably distinguishable over Driskell. Therefore, applicants respectfully request withdrawal of the rejection of claims 1-11, and 13-23.

Rejection of claims 7, 8, 15, and 23 under 35 U.S.C. § 103

The Office Action rejects claims 7, 8, 15, and 23 under 35 U.S.C. 103(a) as being unpatentable over Driskell in view of Padawer *et al.* (U.S. Patent No. 5,220,675). The arguments presented above with respect to Driskell are reiterated here with full force and effect. Padawer also fails to disclose or suggest "displaying a second plurality of menu options at substantially the identified location to replace the first plurality of menu options upon activating one of the remaining menu options." Therefore, claims 7, 8, 15, and 23 are also patentable because they depend directly or indirectly from an allowable base claim. As such, applicants respectfully request withdrawal of the rejection of claim 7, 8, 15, and 23.

CONCLUSION

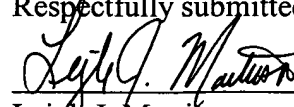
In view of the arguments made herein, applicants submit that the application is in condition for allowance and requests early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the applicants' representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003 ext. 13.

Date: *March 9, 2004*
Reg. No. 50,749

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Respectfully submitted,



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